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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/671,478	09/29/2003	Toru Osu	56937-092	1520

7590 08/23/2005  
MCDERMOTT, WILL & EMERY  
600 13th Street, N.W.  
Washington, DC 20005-3096

EXAMINER

KIM, RICHARD H

ART UNIT PAPER NUMBER

2871

DATE MAILED: 08/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/671,478	OSU ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Richard H. Kim	2871	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 14 June 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 2,3,6 and 7 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 2,3,6 and 7 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

**DETAILED ACTION**

***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Cheynet et al. (US 6,621,004 B2) in view of Davis et al. (US 5,741,313).

Cheyne et al. discloses a casing having an opening (18); a display panel, which is housed inside of the casing and has an image display region facing to the opening (14); a protecting panel for closing the opening (24); the protecting panel being held in such a manner that a marginal portion of the protecting panel is pressed against at least one of the display panel and the casing (24); and holding members for holding the protecting panel therein, wherein the holding members are fixed to the casing (28), and the protecting panel is held in such a manner that the marginal portion of the protecting panel is retained between the casing and the holding members (22, 18, 28), the marginal portion is held via glue (35), and a surface of the glue in contact with the marginal portion is bonded to the marginal portion (35). However, the reference does not the restorative member having flexibility and is foam.

Davis et al. discloses the use of a restorative member having flexibility and is foam (col. 7, lines 21-25).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to employ a restorative member having flexibility and is foam since one

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would be motivated to protect from shock and vibration (col. 7, lines 35-37). Since the invention described by the applicant can also be subject to varying amounts of shock and vibrations, such a teaching is relevant and applicable.

3. Claims 3 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cheynet et al. (US 6,621,004 B2) in view of Clunn (US 5,033,247) and Robichaud et al. (US 5,920,195).

Cheyne et al. and Robichaud et al. disclose the device previously recited, but fails to disclose that the foam is bonded to only one of the respective marginal portion and panel frame.

Clunn discloses a foam bonded to only one side (col. 7, lines 13-15).

It would have been obvious to one having ordinary skill in the art at the time the invention was made for the foam to be bonded to only one of the respective marginal portion and panel frame since maintenance may result in damage if bonding was on both sides (col. 7, lines 19-21).

Referring to claim 6, Cheynet et al. discloses the device wherein the restorative member is interposed between the marginal portion of the protecting panel and the display panel, and the image display region of the display panel is shielded by the restorative member and the protecting panel (35, 24).

4. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Cheynet et al., Clunn and Robichaud et al. in view of White (US 6,532,152).

Cheyne et al., Clunn and Robichaud et al. disclose the device previously recited, but fails to disclose a panel frame for holding an outer periphery of the display panel body, and further,

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the restorative member is interposed between the marginal portion of the protecting panel and the frame.

White et al. discloses a device comprising a panel frame for holding the outer periphery of the display panel body (Fig. 3A, ref. 300), and further, the restorative member is interposed between the marginal portion of the protecting panel and the panel frame (Fig. 3B, ref. 314, 204).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to employ a panel frame for holding an outer periphery of the display panel body, and further, the restorative member is interposed between the marginal portion of the protecting panel and the frame since one would be motivated to provide a “durable and reliable” display (col. 3, line 1).

### ***Response to Arguments***

5. Applicant's arguments with respect to claims 1-8 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Richard H. Kim whose telephone number is (571)272-2294. The examiner can normally be reached on 9:00-6:30 M-F.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert H. Kim can be reached on (571)272-2293. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

RHK

Richard H Kim  
Examiner  
Art Unit 2871

  
**ROBERT KIM**  
**SUPERVISORY PATENT EXAMINER**